

**The Greater Harrodsburg/Mercer County Planning and Zoning Commission  
BOARD OF ADJUSTMENTS AND APPEALS**

**109 Short Street  
Harrodsburg, Kentucky 40330  
(859)-734-6066**

**MINUTES**

Date: January 12, 2006

Time: 4:30 p.m.

Place: Harrodsburg City Hall Commission Chambers

**1. Chairperson called the meeting to order:**

**A. Roll Call of Members:**

**Board Members Present:**

Bob Upchurch  
August Faeth  
Chad Horn

**Staff Present:**

Shawn Moore, ZAO  
David Patrick, Staff Attorney  
Jane Campbell, Admin. Assistant

**B. Previous minutes of December 8, 2005.**

A motion was made by Chad Horn and seconded by August Faeth to approve the minutes of October 13, 2005 and December 8, 2005 as submitted. Roll call vote was unanimous. Motion carried.

**2. OLD BUSINESS:**

**A. None**

**3. NEW BUSINESS:**

**1. 01-06** – Eller's Memorial Baptist Church is requesting a variance of 720 square feet on the minimum lot size requirement from 6,000 square feet to approximately 5,270 square feet. The property is located at 407 Tabler Avenue in Harrodsburg, Kentucky. The zoning map indicates this property is zoned R-2 (High Density Residential). The Pastor of the church, Kenneth Whitehouse, representing the applicant Eddie Long was present and after being sworn in, gave testimony as to the nature of the request taken. He resides at 459 Boone Trail, Danville, Kentucky. No opposition was presented by the public. Staff findings and recommendations were presented to the board on this request. A motion was made by August Faeth and seconded by Chad Horn that the Variance be postponed until the next convenient meeting to allow the applicant time to prepare a plat created by a registered land surveyor in good standing with the Commonwealth of Kentucky to the Highland Addition showing the exact lot dimensions and square footage of the subject property as well as the adjusted front setback

so the Board can ascertain the exact amount of variance required. Roll call vote was unanimous. Motion carried.

**2. 20-05** – Clays Mill Road Baptist Church is requesting a Conditional Use Permit for the operation of a church summer camp located on approximately 181 acres on Stratton Road in Mercer County, Kentucky. The zoning map indicates this property is zoned A-2 (Agricultural). The applicant representing Clays Mill Road Baptist Church, Pastor Jeff Fugate, was sworn in and testimony was taken as to the nature of his request. He resides at 108 Song Sparrow Lane in Nicholasville, KY. Pastor Fugate is requesting the permit for construction if the initial phase the camp which would include:

- a. Cowboy town, which holds the cafeteria, kitchen and offices.
- b. Cabins for the girl and boy campers with shower and bathroom facilities
- c. An RV park with a capacity of up to 50 RV's.
- d. An initial camper capacity of 200-250 campers
- e. The camp would operate 6 weeks during the summer with 2 weeks for primary school aged campers, 2 weeks for teenage campers and 2 weeks for family campers.

Jack Brogle, who resides at 773 Alford Road, was present and after being sworn in, expressed concern about the church camp due to the placement and location of the buildings. Bob Christiansen, who resides at 691 Old Brown Road, was present and after being sworn in, spoke of one concern and that being his property which backs up to the proposed church property. He stated that he would not like to see the land leased out for profit for hunting purposes. Tracy Burden, who resides at 1585 Stratton Road, was present and after being sworn in, expressed great concern over the traffic on Stratton Road, also she had a concern about the water pressure the camp would impose on the vicinity. Lee Brogle, who resides at 322 Barr Street, was present and after being sworn in, expressed concern over noise levels and the use of the lake. With no further testimony received, staff findings and recommendations were presented to the board on this request. It is the recommendation of staff that the decision for the conditional use permit be tabled upon completion of the public hearing to a date certain so that a more definitive review of the testimony presented by the applicant can be studied. A motion was made by Chad Horn and seconded by August Faeth that this item be tabled. Roll call vote was unanimous. Motion carried.

**3. 02-06** – Jill Romero is requesting a Conditional Use Permit for the expansion of services which may be offered at Aspen Hall Bed & Breakfast and Tea Room. The property is located at 558 Aspen Hall Drive in Harrodsburg, Kentucky. The zoning map indicates this property is zoned R-2 (High Density Residential). The applicant/owner representing Aspen Hall, Jill Romero, was present and after being sworn in, presented testimony as to the nature of her request. The applicant is requesting a Conditional Use Permit to conduct private parties not during established tea room hours of operation, operate a gift shop & crafts, Sunday brunches or Sunday special events on holidays in conjunction with the Bed and Breakfast & Tea Room. She resides at 558 Aspen Hall Drive. Leslie Dedman, who resides at 570 Beaumont Avenue, was present and after being sworn in, spoke in opposition of the conditional use permit due to heavy traffic congestion and safety concerns for residents in the area. She also stated that she is very concerned about her property value decreasing due to the activity at Aspen Hall. Ann Robinson, who resides at 562 Aspen Hall Drive, was present

and after being sworn in, spoke in opposition due to the issue of uncontrolled parking and that guests of Aspen Hall have been wandering around on private property. Nancy Scott, who resides at 749 Glendover Road, Lexington, Kentucky, was present and after being sworn in, spoke in opposition. Nancy Scott is the daughter of Josephine Scott, who resides at 128 Aspen Court. She stated concern over the residential area due to the heavy impact of guests visiting Aspen Hall. She also stated how peaceful and quiet the area has been in the past, and she does not want to see it become commercialized. Martha Warner, who resides at 1303 Warwick Road, was present and after being sworn in, spoke in opposition, stating that Aspen Hall should be in a business zone not a residential district. Carol Dean Walters, who resides at 345 Dixie Manor, was present and after being sworn in, spoke in opposition due to the heavy traffic flow and parking in and around Aspen Hall. Janice Yeast, who resides at 129 Aspen Drive, was present and after being sworn in, expressed concern over safety and traffic issues. Also, she stated she would like to see the number of guests that visit Aspen Hall be limited to no more than 100 people at any one time. Attorney Matt Walter, who resides at 448 O'Hara Drive in Danville, Kentucky, was present, and after being sworn in, spoke in opposition. He appeared before the board representing Curry and Leslie Dedman. He stated that Jill Romero has already held activities she was asking permission to hold, and that she had not operated the tea room and inn as she said she would at an April 28, 2005 meeting. Andrew Romero, who resides at 558 Aspen Hall Drive, husband of Jill Romero and co-owner of Aspen Hall, was present and after being sworn in, stated that he tries to keep the parking on Aspen Hall Drive open and not all the traffic on the street is due from activity at Aspen Hall. Curry Dedman, who resides at 570 Beaumont Avenue, was present and after being sworn in, spoke in opposition, stating that he and his family have no privacy and he is concerned over the amount of heavy traffic around Aspen Hall. Timothy Gray, who resides at 1424 Vanarsdall Road, was present and after being sworn in, spoke in opposition of the request and asked the board to deny it. Jim Moseley, who resides at 761 Lexington Street, was present and after being sworn in, spoke in favor of the request. He stated there was adequate parking around Aspen Hall and he felt that there is a need for large meeting places for groups such as the Rotary Club and other organizations. Doris Moseley, who resides at 761 Lexington Street, was present and after being sworn in, stated previous owners of Aspen Hall rented rooms out, and she doesn't know if it has ever been a private residence. Kent Brown, attorney for Ann Robinson, who resides at 4998 Heartland Parkway, was present and after being sworn in, spoke in opposition of the request. He stated that the request has expanded all limits and he thought a commercial establishment operating in the middle of a residential area is a violation.

With no further testimony received, staff findings and recommendations were presented to the board on this request. A motion was made by Chad Horn and seconded by August Faeth to deny the Conditional Use Permit as presented in accordance with KRS 100.237 to extend activities at the inn as requested for the following conditions:

1. Limited ingress/egress.
2. Inadequate parking for special events.
3. Daily operations would interfere and alter the character and quality of life for the residents of the neighborhood.

4. Close proximity to the adjoining neighbors.
5. Daily operation of the Tea Room constitutes the use of the property as commercial, and not as accessory to the principal use as a dwelling and Bed and Breakfast.

Roll call vote was unanimous. Motion carried.

Because the scope of operation of Aspen Hall Bed & Breakfast and Tea Room was expanded after the Joint Ordinance for Regulations of Bed & Breakfasts and associated businesses which was adopted by the City of Harrodsburg on July 25, 2005. A motion was made by Chad Horn and seconded by August Faeth to grant a conditional use permit for the operations at Aspen Hall which establish the following conditions for the existing operation:

1. On-street parking on Aspen Hall Drive be in accordance with city ordinances.
2. The hours of operation will be limited to two (2) seatings per day of no more than twenty (20) people per seating, and only between 11:00am and 3:30pm.
3. The Tea Room may be open a maximum of 6 days per week, Monday through Saturday only.
4. Any wedding related events will be limited to two (2) per month, with a total limit of twelve (12) per year, and that those special events be limited so that they occur after 4:00pm and conclude no later than 9:00pm Monday through Saturday only.
5. The guests of the Tea Room and special events will be properly supervised and confined to the property of Aspen Hall B&BTR and not be allowed to wander the grounds, and subsequently the property of the adjoining property owners.
6. The Tea Room, now and forever waive the possibility of providing alcoholic beverages as part of their special event packages and no liquor license be applied for with the City of Harrodsburg.
7. The packages offered for the Bed & Breakfast will require no additional on-site services or on-site personnel to come to Aspen Hall for the benefit of the Bed & Breakfast guests.
8. The granting of the Conditional Use Permit does not exempt the applicant from complying with all of the requirements of the zoning regulations.
9. Aspen Hall B&BTR will return to the Board of Adjustments and Appeals for modification of the Conditional Use Permit **prior to** any change in the scope of approved operations.
10. The Conditional Use Permit will become null and void upon transfer or sale of the property.
11. The garbage dumpster shall be completely concealed from view.

Roll call vote was unanimous. Motion carried.

**Adjournment:** With no further business being brought before the board, a motion to adjourn was made by August Faeth and seconded by Chad Horn. The meeting adjourned at 8:10 p.m.